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OBSERVATIONS
ON THE
CONDUCT

OF
Messrs. *W*~~*h*~~*acks* and *D*~~*a*~~*son*,

R L A T E

B A N K E R S

O F T H E

City of *DUBLIN*,

T O W A R D S

Richard Brewer
Mr. *R--d B--r* their Cashier.



D U B L I N,

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OBSERVATIONS

CONDUCT

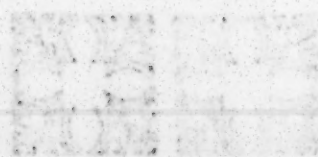
MICHAEL W. L. L. L. L.

BANKERS



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OF

Messrs. *W-----ks* and *D-----n*, &c.

THERE is not a stronger Mark of a good Mind, than a Disposition to lie open to Truth, and reject all Prejudices and Prepossessions, when the Well-being and good Fame of another are concerned. It is one of the first Principles of Humanity, and derives it's Excellence from that grand Rule of Morality and Religion, of treating a Fellow-Creature with that Tenderness, which in similar Circumstances we should ourselves be ready to expect. And, indeed, there is hardly a Situation more pitiable, than that of an innocent Person overpowered by publick Prejudice, raised industriously by the Art of some, and readily propagated by the Weakness of others; having one of the finest Sensations of the human Frame, the Sense of Reputation, kept under exquisite Anguish, without a Possibility of Relief. Every ingenious Mind can form some Idea of such a Distress, and by reflecting a little on the Misery, will redouble it's

Caution, in adopting Rumour for Facts, and bringing another into the worst Situation that can embitter human Life.

Such a generous Habit of Mind, is also a sure Indication of a sound Understanding and a firm Judgment ; Speculation points out to us, and Experience still more strongly evinces, those various Motives and Passions of Mankind which in every Age have raised and adopted the several Imputations against the Honest and Innocent ; how ready Men are in suffering the first flying Sentiment to fix in their Breasts, and not only exclude all subsequent Refutation, but even refuse to admit any exculpatory Proofs ; and how the designing Part of the World have turned this Weakness to their own Advantage, by being the first to lay the Impression, and fix on the Honest, that Guilt, which is their own ; a Device that will not suggest itself to a Consciousness of Integrity, which is apt to rely on itself for the same Applause from the World, which it finds within ; independant of all external Aid or Application to the Foibles of others. Hence have arisen the many publick Errors, which every observing Man must have met with, when Plausibility of Story has been at first admitted as direct Proof, until obliged to give way to Time and Truth, which have pointed out not only the Facts, but also the Reason why these Facts were so cunningly disguised. Instances of this Kind really make up the Bulk of our Experience ; but Experience is useless, if not turned to practical Wisdom ; if not only considered as the Proof of Things past, but also Abstracted into a Rule of judging about Things to come.

As good Men, and as wise Men, we should in all Matters of private Nature, withhold our Judgment until our Information be compleat ; but such

a Maxim is peculiarly necessary, where there are Persons opposed in Interest, and all the Hopes of the One must arise from fixing the Publick Prejudice against the other ; where the Consequence of our Prepossession is not merely a Loss of Fame to an Individual, but may affect Determinations of Property, wherein a Family, and a Posterity, for ever may be fatally involved. In such Cases we are to look on ourselves in a double Capacity ; not merely as Dispensers of Reputation, but as Persons whose Opinions may contribute to fix the Fate of others in Regard to all the Comforts, nay, the Necessaries of Life ; we may be such either immediately in ourselves, or by the Influence on others, which our receiving and propagating any particular Sentiments may produce ; and in both Lights we stand bound to the strict Exertion of Impartiality and Justice.

In the Case of Mr. B----r, the first Thing that presents itself to a Person, who comes with an honest and fair Intention to consider it, is a Report much to his Disadvantage, indefatigably spread, and supported with no Kind of Authority. Report, is in general, certainly of no Weight in the Scale of true Opinion, and when raised by an Adversary to vindicate himself, induces a Suspicion rather of the *active* than the *passive* Party ; the B--kers charge him with the publick Loss, in general Terms ; he replies with an Air of assured Innocence, and offers to come to a clear and particular Accompt ; so far he seems to have the Advantage. Had a Meeting been had in Consequence of this Offer, he must have either been proved clear of the Charge, and they covered with accumulative Shame, or he must have been convicted of Guilt, and loaded with Disgrace, by a Proposal of his own making. Such a Proposal,
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one would be apt to think, would not be for the Purpose of the *Guilty* to offer, or the *Innocent* to *refuse*. The Answer of the B--kers seems however to be in another Strain ; the Law was here introduced instead of the scheme of Equity proposed ; nay the Law did not seem sufficient, without an Extention of Power inconsistent with its Nature, and indeed destructive of its Dignity ; unusual, unprecedented Steps were taken, with every Circumstance of illegal Violence, and a Power exerted where there was no Jurisdiction, to secure not only the Person of the C——r, but also all his Vouchers and Credentials, by which alone his Integrity could be cleared, and Truth brought to Light ; this seems an odd Return to his Offer of making regular Satisfaction of his Innocence, by undeniable Authorities ; and yet, odd as it was, it looks like an effectual one, indeed like an *only* one, for these very Authoritives were thus torn from him, and consequently rendered of no Avail to him, either at a private Reference, or legal Suit. And where were they lodged ? One would be apt to hope in some impartial Hand, or safe Place of Custody, that they may be forth-coming for the common Benefit of all Parties ; no, it seems they were immediately put into the Hands of those who refused the Meeting, where they were to be the Vouchers, and whose Interest it was that they should never see the Light. Thus stripped, defenceless, and destitute of all Security for his Property, and Vindication of his Fame, we find him hurried to Prison, under every aggravated Circumstance of ill Usage ; his Liberty gone, all Opportunities of counteracting the Attempts against his Fame taken from him, at the Mercy of his Enemies, who can only subsist by his Ruin ; all the Circumstances which to plain Reason must weigh

weigh in his Favour, and raise Suspicion against them, perverted by their industrious Agents, and passed on the inattentive Many, as so many Proofs of his Guilt; the World in general, too indolent to withstand a current Opinion, and his Adversaries with-holding *all* Payments, on the *Pretence* of his having embezzled *some Share* of their Effects. In short, we plainly see on one Side every Symptom of Design and Deceit; on the other, many speaking Indications of Innocence.

The genuine Truth, at this Distance, the Public cannot precisely discern; all they can do is to judge by the Appearance of undoubted Facts; what Facts then are there against the C——r, only these, that he offered an open Settlement, and Proof of his Honesty; that he stayed without Precaution, or Show of an Ill-conscience within the Reach of Power, when he might have withdrawn, (trusting, in all human Probability, to these Vouchers, which were contrary to his Expectation, and contrary to all Law, taken from him and put into the Hands of his Adversaries) and that none of these Embezlements have been proved, nor any Trace of the Money he was charged with to be found in Purchases, Possessions, nor Way of Life. What Facts appear against the B--kers? That they refused his Offer of Settlement, instead of it, got from him by illegal Violence his Papers into their Possession, take various and unjustifiable Pains to asperse his Character, and avow a Design of attacking his Property, which by their own Act they have contributed to render defenceless.

As these are Facts uncontroverted, they will make an Impression on every Mind to the Disadvantage of the B--kers. We know that in Courts of Equity, so strong is the Suspicion arising

sing from the Secrecion of Vouchers, that where such a designed Secrecion is proved, all Facts suggested by the opposite Party to be contained therein, are presumed and allowed. So that hence arises unavoidably a Prejudice against the B--kers, instead of the C——r, in every attentive and impartial Mind ; A Prejudice quite opposite to that I at first condemned, as it arises from certain Facts, and not from uncertain Rumour ; and such Facts will ever affect the Judgement, tho' not with a final Conviction of Truth, at least with all the Force of Probability.

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